

**TRANSMITTAL
FORM**

Application Number 10/789,678

Filing Date February 27, 2004

First Named Inventor Besemer, et al.

Art Unit 1744

Examiner Name David Redding

(to be used for all correspondence after initial filing)
Total Number of Pages in This Submission

81

Attorney Docket Number 1067.1H

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
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(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):

Substitute 1449 form

1 European search report

2 foreign patent documents

Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Affymetrix, Inc.

Signature

Printed Name

Philip McGarrigle

Date

Nov. 30, 2005

Reg.
No.

31,395

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Pamela Leong

Date

11/30/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

Attorney Docket No.: 1067.1H

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Besemer, et al.

Serial No: 10/789,678

Filing Date: February 27, 2004

Title: BIOARRAY CHIP REACTION
APPARATUS AND ITS
MANUFACTURE

Examiner: David Redding

Group Art Unit: 1744

**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, the documents listed on the accompanying PTO Form-1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application. In accordance with 37 CFR 1.98(a)(2)(i), copies of the foreign patent documents are enclosed herewith. Foreign patent documents B16-B17 were first cited in a European search report for EP 05 00 9507.4, a related European patent application, dated September 20, 2005. A copy of the European search report and a copy of two of the five cited documents are enclosed herewith. The other three cited documents have been submitted in a prior IDS. In accordance with 37 CFR 1.98(a)(2)(ii), copies of the US patents and US patent application publications are not enclosed herewith.

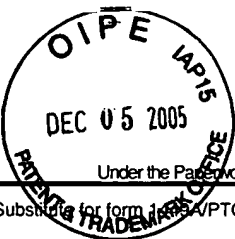
Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made, other than as described above; or (3) an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

Because an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Nov 18, 2005
Date

Respectfully submitted,

Philip McGarrigle
Philip McGarrigle
Reg. No.: 31,395



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1-100/USPTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/789,678
Filing Date	February 27, 2004
First Named Inventor	Besemer, et al.
Art Unit	1744
Examiner Name	David Redding
Attorney Docket Number	1067.1H

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	A94	US- 4,125,828	11/14/1978	Resnick, et al.	
	A95	US- 4,753,775	06/28/1988	Ebersole, et al.	
	A96	US- 4,845,552	07/04/1989	Jaggi, et al.	
	A97	US- 5,091,652	02/25/1992	Mathies., et al.	
	A98	US- 5,545,531	08/13/1996	Rava, et al.	
	A99	US- 5,589,136	12/31/1996	Northrup, et al.	
	A100	US- 5,639,423	07/17/1997	Northrup, et al.	
	A101	US- 6,238,910	05/29/2001	Custance, et al.	
	A102	US- 6,432,696	08/13/2002	Custance, et al.	
	A103	US- 6,513,968	02/04/2003	Schembri	
	A104	US- 6,648,853	11/18/2003	McEntee	
	A105	US- 2003/0232379 A1	12/18/2003	Amorese, et al.	
	A106	US- 2003/0235520 A1	12/25/2003	Shea, et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	B16	EP 0 583 078 A	02-16-94	WALLAC OY		
	B17	EP 0 695 941 A	02-07-96	AFFYMAX TECH.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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